

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
IBRAHIM MIZRAHI, :
a/k/a "Albert Mizrahi," :
a/k/a "Abraham Mizrahi," :
:
Defendant. :
:
- - - - - X

SUPERSEDING INDICTMENT

S1 18 Cr. 889 (JMF)

COUNT ONE

(Wire Fraud)

The Grand Jury charges:

1. From at least in or about April 2018, up to and including in or about August 2018, in the Southern District of New York and elsewhere, IBRAHIM MIZRAHI, a/k/a "Albert Mizrahi," a/k/a "Abraham Mizrahi," the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, MIZRAHI participated in a scheme to defraud, by telephone, email, and wire transfers of funds, among other means and

methods, a factoring company ("Factoring Company-1"), which had entered into a factoring agreement with an apparel company ("Apparel Company-1") owned and operated by MIZRAHI, by creating and submitting invoices for factoring that were false, fraudulent, and fictitious and did not reflect goods that had been actually sold by Apparel Company-1 and, in furtherance of that scheme, transmitted and caused to be transmitted email communications containing the above-described invoices from Factoring Company-1 in New York to a second company for collection ("Factoring Company-2") in Virginia.

(Title 18, United States Code, Sections 1343, 1349, and 2.)

COUNT TWO

(Money Laundering)

The Grand Jury further charges:

2. From at least in or about July 2018 up to and including at least in or about December 2018, in the Southern District of New York and elsewhere, IBRAHIM MIZRAHI, a/k/a "Albert Mizrahi," a/k/a "Abraham Mizrahi," the defendant, in part while on pretrial release, did knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, which involved the proceeds of a specified unlawful activity, that is the wire fraud charged in Count One of this Indictment, knowing that the transactions were designed in whole and in part to conceal and disguise the nature,

location, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to conduct such financial transactions knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity.

3. The defendant was on pretrial release pursuant to an order dated November 13, 2018 of the United States District Court for the Southern District of New York, Case No. 18 Mag. 9527, which order notified the defendant of the potential effect of committing an offense while on pretrial release.

(Title 18, United States Code, Sections 1956(a)(1)(B)(i),
3147, and 2.)

FORFEITURE ALLEGATION

4. As a result of committing the offense alleged in Count One of this Indictment, IBRAHIM MIZRAHI, a/k/a "Albert Mizrahi," a/k/a "Abraham Mizrahi," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense and the following specific property: One blue Bentley Continental GT, VIN Number

SCBFH7ZA1GC052269.

5. As a result of committing the offense alleged in Count Two of this Indictment, IBRAHIM MIZRAHI, a/k/a "Albert Mizrahi," a/k/a "Abraham Mizrahi," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense and the following specific property: One blue Bentley Continental GT, VIN Number SCBFH7ZA1GC052269.

Substitute Asset Provision

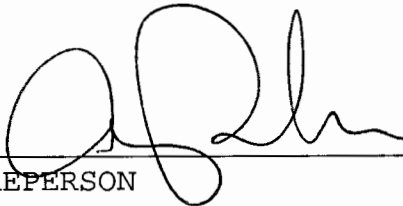
6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property

of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON
GEOFFREY S. BERMAN
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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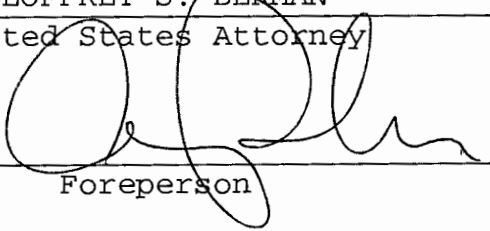
Defendant.

SUPERSEDING INDICTMENT

'S1 18 Cr. 889 (JMF)

(18 U.S.C. §§ 1343, 1349,
1956(a)(1)(B)(i), 3147, & 2.)

GEOFFREY S. BERMAN
United States Attorney


Foreperson

1/15/19 SUPERSEDING
~~SEAL~~ INDICTMENT
USMJ NETBURN

